

REMARKS

By this Amendment, claims 1, 5 and 7 are amended. Support for the amendments to claims 1 and 5 may be found, for example, in FIGS. 1-2 and 14 of the application and their corresponding descriptions. No new matter is added. Accordingly, after entry of this Amendment, claims 1, 3-5, and 7-16 will remain pending in the patent application.

Entry of this Amendment is proper under 37 C.F.R. §1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments merely amplify issues discussed throughout the prosecution; (c) do not present any additional claims without canceling a corresponding number of claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of this Amendment is thus respectfully requested.

As a preliminary matter, Applicants respectfully note that while “every point in the prior action of an examiner which is still applicable must be repeated or referred to”, the PTO guidelines mandate that “where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.” (*See* MPEP 707.07(e)-(f)). Furthermore, each claim must be mentioned in each office action. (*See* MPEP 707.07(i)). Applicants respectfully submit that the Office Action is not complete as to all matters because the Examiner has not provided reasons/explanations as to why all of the limitations of the amended set of claims filed with the PTO in February 23, 2005 are anticipated or rendered obvious in view of the art of record. Applicants respectfully note that the Office Action dated May 23, 2005 is merely an exact copy of the previous Office Action dated November 11, 2004. The Response to Arguments section in paragraph 4 of the Office Action merely paraphrases the first and second paragraphs of page 3. However, Applicants respectfully note that the amended set of claims of February 23, 2005 contain new limitations, which limitations are not addressed/discussed by the Examiner in the present Office Action. For example, Applicants note that the limitations of claim 5 added in the previous amendment are not discussed by the Examiner. Instead, the Office Action merely repeats the arguments for rejecting original claim 5 and claim 6, which has been canceled without prejudice or disclaimer by Applicants in the February 23rd Amendment. As another example, Applicants note that the Office Action has failed to provide any reasons/comments as to why new claim 16 is anticipated or rendered obvious by the art of record. Therefore, in the event the rejection of claim 16 is maintained in

the next Office Action, the Examiner is respectfully requested to provide the reasons for rejecting this claim or withdraw the rejection.

In the Office Action, claim 7 was objected to. In response, claim 7 is amended to depend from claim 5. Accordingly, reconsideration and withdrawal of the objection to claim 7 are respectfully requested.

Claims 5 and 7-8 were rejected under 35 U.S.C. §102(e) based on Choi (U.S. Pat. No. 6,684,264). The rejection is respectfully traversed.

Claim 5 is patentable over Choi at least because this claim recites a display apparatus of an injection molding machine, which functions as a human-machine interface, wherein, *inter alia*, the display screen of the display apparatus is divided into two or more spatially separate sections within the display screen that are arranged to be simultaneously readable, one of these two or more sections being used as a display screen to display the text information created and transferred through the network. Choi does not disclose, teach or suggest a display apparatus including this feature. Therefore, Choi does not disclose, teach or suggest each and every feature recited by claim 5 and, as a result, cannot anticipate claim 5.

As mentioned in the February 23rd Amendment, Choi discloses an injection molding system architecture including a control panel that is used by an operator to input control data and to view process feedback information. (*See* col. 4, lines 1-3 and FIGS. 1A-B). Choi further discloses that the control panel displays rows of pushbuttons and multiple tabs (identified as the two or more sections by the Examiner). (*See* FIG. 8). However, in Choi, the tabs can only be selected one at a time and the display of one of them impairs the display of the remaining ones. As conceded by the Examiner in the Office Action, the pushbuttons are merely used to bring up information. Choi is silent about a display screen divided into two or more spatially separate sections within the display screen that are arranged to be simultaneously readable. Furthermore, Choi fails to teach or suggest that one of these two or more sections is used as a display screen to display the text information created and transferred through the network. Choi merely discloses in FIG. 7 the label of each button. However, none of the tabs or pushbuttons of the control panel constitutes a section that displays text information created and transferred through a network. In addition, none of the tabs or pushbuttons of the control panel constitutes a section that is spatially separate from the other sections such that the one or more sections are simultaneously readable. As shown in FIGS. 7 and 18, when the user configuration button is pushed on (4<sup>th</sup> icon from the top in FIG. 7 and first button on the top left corner in FIG. 18), the section of the user configuration is superposed on the central section of the screen. Therefore, the section of the user

configuration and the central section of FIG. 18 are not spatially separate sections that are arranged in the display screen to be simultaneously readable. For at least these reasons, claim 5 is patentable over Choi.

Claims 7-8 are patentable over Choi for at least the same reasons provided above in connection with claim 5 and for the additional features recited therein. For example, with respect to claim 7 and as mentioned previously in the February 23rd Amendment, Choi is completely silent about a display apparatus wherein, *inter alia*, the display screen to display text information is used also as a selector button display screen. Applicants note that FIG. 7 of Choi merely discloses the label of each button. However, as noted previously, these labels are not text information created and transferred through a network.

Accordingly, reconsideration and withdrawal of the rejection of claims 5, 7 and 8 under 35 U.S.C. §102(e) based on Choi are respectfully requested.

Claims 1, 3-4 and 16 were rejected under 35 U.S.C. §103(a) based on Choi in view of Zvonar (U.S. Pat. No. 5,548,535). The rejection is respectfully traversed.

MPEP 2142 clearly sets forth the analysis required to be employed in obviousness-type rejections. In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Applicants respectfully submit that none of these criteria has been met. Therefore, it is respectfully submitted that the Office Action has failed to establish a *prima facie* case that would render claims 1 and 3-4 obvious.

As conceded on page 7 of the Office Action, Choi fails to disclose, teach or suggest a display apparatus comprising, *inter alia*, an instruction unit which instructs to display the text information; and a display control means which displays the electronic text information stored in the memory of the display screen according to the instruction from the instruction unit. However, Applicants respectfully submit that there are additional features that are absent in Choi. For example, and as mentioned previously, Choi fails to disclose, teach or suggest a display screen of the display apparatus that is divided into two or more spatially separate sections that are arranged to be simultaneously readable within the display screen, one of these two or more sections being used to display the text information input by the input unit.

Zvonar fails to remedy the deficiencies of Choi. Zvonar merely discloses a VAX-based menu-driven program that is used to schedule and track performance of periodic activities with respect to various entities. However, Zvonar is silent about a display screen as recited in claim 1. Therefore, any reasonable combination of Choi and Zvonar cannot result, in any way, in the invention of claim 1.

Furthermore, Applicants respectfully submit that there is no motivation or suggestion to combine these references because Choi and Zvonar teach away from each other. (*See* MPEP 2143). Choi teaches improving control of the machine by using graphics and icons. Choi discloses that the graphical interface provides the flexibility and functions to present information in a simple, more direct manner than other existing control systems. (*See* col. 7, line 67 and col. 8, lines 1-7). By contrast, Zvonar teaches using VAX text messages to track the performance of the equipment. Therefore, by virtue of teaching that a graphical interface (as opposed to a text interface) provides more flexibility than a conventional information system, Choi teaches away from the system disclosed by Zvonar. For at least this reason, Applicants respectfully submit that it would not have been obvious to combine the teachings of these references. Therefore, claim 1 is patentable over Choi, Zvonar and a combination thereof.

Claims 3, 4 and 16 are patentable over Choi, Zvonar and a combination thereof by virtue of their dependency from claim 1 and for the additional features recited therein. For example, with respect to claim 3, Choi, Zvonar, and a combination thereof fail to disclose, teach or suggest a display apparatus wherein, *inter alia*, the display screen to display text information is used also as a selector button display screen.

Furthermore, Applicants respectfully note that the Office Action has failed to provide reasons for rejecting claim 16 in view of Choi and Zvonar. As a result, Applicants assume that claim 16 is allowable. A notice to that effect is earnestly solicited in the next Office Action.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3-4 and 16 under 35 U.S.C. §103(a) based on Choi in view of Zvonar are respectfully requested.

Claims 9-15 were rejected under 35 U.S.C. §103(a) based on Choi in view of Zvonar and further in view of Fennell (U.S. Pat. No. 5,430,436). Applicants respectfully traverse the rejection because the combination of Choi, Zvonar and Fennell does not teach or suggest each and every limitation recited in claims 9-15. Furthermore, Applicants respectfully submit that there is no motivation or suggestion to combine the teachings of these references, as mentioned in the February 23rd Amendment.

Claim 9 recites a display apparatus of an injection molding machine, which functions as a human-machine interface, comprising, *inter alia*, a memo button that causes text information to be displayed. Applicants respectfully submit that Choi and Zvonar do not teach or suggest this feature. The Office Action indicated, however, on page 6, that the combination of Choi and Zvonar makes this limitation obvious. Applicants respectfully disagree and submit that the Examiner has provided no motivation or suggestion for such a determination. Accordingly, the Examiner is respectfully requested to provide the required motivation or suggestion or withdraw the rejection. (*See* MPEP 2143).

Fennell fails to remedy the deficiencies of Choi and Zvonar. Fennell merely discloses a method and apparatus for displaying a keypad arrangement on a selective call receiver. However, Fennell is silent about a display apparatus comprising, *inter alia*, a memo button that causes text information to be displayed. Therefore, any reasonable combination of Choi, Zvonar and Fennell cannot result, in any way, in the invention of claim 9.

Claims 10-12 are patentable over Choi, Zvonar and Fennell and a combination thereof at least by virtue of their dependency from claim 9 and for the additional features recited therein.

Claim 13 recites a display apparatus of an injection molding machine, which functions as a human-machine interface, comprising, *inter alia*, a mail button which instructs to display a mail. Applicants respectfully submit that Choi and Zvonar do not teach or suggest this feature. The Office Action also indicated on page 6 that the combination of Choi and Zvonar makes obvious this limitation. Applicants respectfully disagree and submit that the Examiner has provided no motivation or suggestion for such a determination. Accordingly, the Examiner is respectfully requested to provide the required motivation or suggestion or withdraw the rejection. (*See* MPEP 2143).

Fennell fails to remedy the deficiencies of Choi and Zvonar. Specifically, Fennell is silent about a display apparatus comprising, *inter alia*, a mail button which instructs to display a mail. Therefore, any reasonable combination of Choi, Zvonar and Fennell cannot result, in any way, in the invention of claim 13.

Claims 14-15 are patentable over Choi, Zvonar and Fennell and a combination thereof at least by virtue of their dependency from claim 13 and for the additional features recited therein.

As indicated previously, in order to establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

combine reference teachings. (See MPEP 2142). MPEP 2145 clearly states that "it is improper to combine references where the references teach away from their combination" (citing *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983)). Furthermore, MPEP 2141.01(a) mandates that "in order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). See also *In re Deminski*, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986); *In re Clay*, 966 F.2d 656, 659, 23 USPQ2d 1058, 1060-61 (Fed. Cir. 1992).

Full consideration and application of these tenets to the present case show that the Office Action has failed to establish a *prima facie* case that would render claims 9-15 obvious based on the cited art.

Applicants respectfully submit that there is no motivation to combine Choi and Zvonar because these references teach away from each other. As mentioned previously, Choi teaches improving control of the machine by using graphics and icons whereas Zvonar teaches using VAX text messages to track the performance of the equipment. By virtue of teaching that a graphical interface (as opposed to a text interface) provides more flexibility than a conventional information system, Choi clearly teaches away from Zvonar's system. For at least this reason, Applicants respectfully submit that it would not have been obvious to combine the teachings of these references.

The Examiner relied on Fennell as allegedly teaching a character input panel which is displayed in the display apparatus when the create key is operated, the character input panel having a character key to input characters and a display time key to set a display time. The Examiner then stated it would have been obvious to one of ordinary skill in the art to combine the teachings of Choi, Zvonar and Fennell. Applicants respectfully disagree. Fennell merely relates to selective call radio receivers but does not teach or suggest anything related to equipment control. On the other hand, Choi and Zvonar are silent about selective call radio receivers. Therefore, there is absolutely no motivation to modify the teachings of Choi and Zvonar in view of Fennell, and *vice versa*.

Furthermore, Applicants note that Fennell and Choi relate to different/separate arts as evidenced by their different classifications. Because Fennell is outside the pertinent field of endeavor and because the matter with which Fennel deals logically would not have commended itself to the attention of one skilled in the art, Applicants respectfully submit that it would not have been obvious to combine Choi and Fennell. (See MPEP 2141.01(a)).

Therefore, for at least this reason, it is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness that would render obvious claims 9-15.

Accordingly, reconsideration and withdrawal of the rejection of claims 9-15 under 35 U.S.C. §103(a) based on Choi in view of Zvonar and further in view of Fennell are respectfully requested.

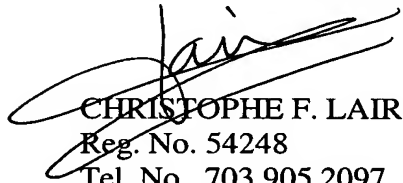
Applicants have addressed all the Examiner's rejections and objection and respectfully submit that the application is in condition for allowance. A notice to that effect is earnestly solicited.

If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



CHRISTOPHE F. LAIR  
Reg. No. 54248  
Tel. No. 703.905.2097  
Fax No. 703.905.2500

JPD/CFL  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000